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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/967,004	09/28/2001	Kazue Kaneko	1232-4776	5651

27123 7590 12/02/2004
MORGAN & FINNEGAN, L.L.P.
3 WORLD FINANCIAL CENTER
NEW YORK, NY 10281-2101

EXAMINER

SKED, MATTHEW J

ART UNIT PAPER NUMBER

2655

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/967,004

Applicant(s)

KANEKO ET AL.

Examiner

Matthew J Sked

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/03/02</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 7, 9, 10, 14, 16-22, 26, 27, 31, 32, 36, 37, 41 and 42 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Grayson et al. (U.S. Pat. 5,963,217), cited by the applicant.

As per claims 1, 10, and 17-20, Grayson teaches an information presentation system, apparatus, method, and computer readable medium comprising:

a sending apparatus sending send data including text information, and a receiving apparatus is connected to said sending apparatus in being capable of communication and receives said send data (host computer sends a stream of text and other data to the participant computer, col. 4, lines 14-16),

wherein said receiving apparatus comprises:

voice outputting means for carrying out voice synthesis based on text information included in received send data, and outputting obtained synthetic voice (text-to-speech processor, col. 4, lines 42-43);

first displaying means for displaying speaker images imitating speakers of said synthetic voice (text generates lip positions, col. 4, lines 16-20); and

second displaying means for displaying a text string to be spoken by said synthetic voice in a text display form corresponding to each of said speaker images (text section where the text display form is the same for all characters, col. 8, lines 52-53).

3. As per claims 7 and 14, Grayson teaches the second displaying means displays said text string with a predetermined positional relation with the position in which said speaker image is displayed (avatar is viewed in a defined place on border and the text is viewed in the center of the interface, Fig. 7).

4. As per claims 9 and 16, Grayson teaches the speaker image is an animation imitating a speaker (animated characters, col. 3, lines 16-23).

5. As per claims 21, 26, 31, 36, 41 and 42, Grayson teaches an information presentation system, apparatus, method, and computer readable medium where an information distribution terminal and an information presentation terminal presenting information distributed from the information distribution terminal are connected via a network (host and computers over network, Fig. 1),

wherein said information distribution terminal comprises:

distributing means for distributing information including letter information and image information (stream of text and graphics, col. 4, lines 14-16), and

said information presentation terminal comprises:

editing means for dividing information distributed by said distributing means into a synthetic voice portion read out by synthetic voice in synchronization with animation images and a display portion displayed as letter information and image information (the stream of data contains commands in brackets and text between quotes, the commands

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would be executed by the animation and the text would be synthesized and displayed, col. 4, lines 21-35); and

presenting means for controlling the position in which said animation image is displayed, based on information corresponding to said display portion edited by said editing means, and presenting said synthetic voice portion and said display portion (commands move the position of the animation hence controlling its position, col. 4, lines 21-28).

6. As per claims 22, 27, 32, and 37, Grayson teaches:

adding means for adding a flag for controlling the position in which said animation image is displayed to information corresponding to said display portion (stream includes move instructions so when compiled the system would inherently set flags to indicate the move instruction was invoked, col. 4, lines 21-28), and

said presenting means controls the position in which said animation image is displayed, based on the flag added to the information corresponding to said display portion (character moved based upon the move instruction, col. 4, lines 29-35).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 3, 6, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Kiraly et al. (U.S. Pat. 6,324,511).

As per claims 2 and 11, Grayson teaches wherein said first displaying means displays a speaker image selected from said plurality of speaker images (context defines characters to display, col. 4, lines 5-13).

Grayson does not teach a first retaining means for retaining display correspondence information showing a correspondence between each of a plurality of speaker images and the display form of a text string and said second displaying means obtains a display form corresponding to said selected speaker image from said display correspondence information to display said text string in said display form.

Kiraly teaches a first retaining means for retaining display correspondence information showing a correspondence between each of a plurality of speaker images and the display form of a text string (based upon the context the system highlights parameters in the text and displays images, col. 7, lines 29-32 and col. 9, lines 19-27) and said second displaying means obtains a display form corresponding to said selected speaker image from said display correspondence information to display said text string in said display form (second display means for displaying the text in the display form, Fig. 3, element 320).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson for a first retaining means for retaining display correspondence information showing a correspondence between each of a plurality of speaker images and the display form of a text string and said second

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displaying means obtains a display form corresponding to said selected speaker image from said display correspondence information to display said text string in said display form as taught by Kiraly because it would allow the view of the text change along with the animated character hence making the system more enjoyable to the user.

9. As per claim 3, Grayson teaches the display correspondence information is sent from said sending apparatus to said receiving apparatus (all data relating to text, context, graphics and speech commands are sent in a stream and would necessarily carry the correspondence information from claim 2).

10. As per claims 6 and 13, Grayson does not teach the text display form corresponding to each of said speaker images in said second displaying means is at least any of the letter color, size and font.

Kiraly teaches the text display form corresponding to each of said speaker images in said second displaying means is the color (highlights text, col. 9, lines 19-26).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson so that the text display form corresponding to each of said speaker images in said second displaying means is the color as taught by Kiraly because it would allow interface to be more lively hence making interaction more enjoyable.

11. Claims 4, 5, 8, 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Hikawa (U.S. Pat. 6,424,944), cited by applicant.

12. As per claims 4 and 12, Grayson teaches:

second retaining means for retaining context correspondence information showing a correspondence between said plurality of speaker images and the context (context information would be saved on site in order to send it to the participant, col. 4, lines 5-7);

selecting means for identifying the context of text information included in said send data in said receiving apparatus (state also sends a stream of text with context information, col. 4, lines 14-16); and

selecting a speaker image corresponding to the identified context based on said context correspondence information, wherein said first displaying means displays a speaker image selected by said selecting means (context information defines characters in presentation, col. 4, lines 9-13).

Grayson does not teach nor specifically point out performing these operations for genres.

Hikawa teaches the user selecting a genre of background music to be reproduced and selecting an image based upon this genre, (col. 9, lines 4-8 and 41-44).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to teach using genre information as taught by Hikawa because it would allow the user to select different categories within the current application hence facilitating navigation for the user.

13. As per claim 5, Grayson teaches that the context correspondence information is sent from said sending apparatus to said receiving apparatus (host computer sends context information to participant computer, col. 4, lines 5-7).

14. As per claims 8 and 15, Grayson does not teach the text information included in said send data includes headline text and text of spoken contents, and said information presentation system further comprises third displaying means for displaying said headline text distinguishable from the text display by said second display means.

Hikawa teaches the text information included in said send data includes headline text and text of spoken contents (title and whole contents are displayed, col. 9, lines 21-24), and said information presentation system further comprises third displaying means for displaying said headline text distinguishable from the text display by said second display means (name display field, Fig. 5, element 31a).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to have the text information included in said send data include headline text and text of spoken contents, and said information presentation system further comprising third displaying means for displaying said headline text distinguishable from the text display by said second display means as taught by Hikawa because it would give the user an easily visible abbreviated information about the text being read hence facilitating use.

15. Claims 23-25, 28-30, 33-35, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Chang et al. (U.S. Pat. 6,584,479).

As per claims 23, 28, 33, and 38, Grayson does not teach that the flag includes any one of the importance of said display portion, the need for hiding the same, important points and points needing to be hidden, or a combination thereof.

Chang teaches that the flag includes the importance of the display portion (primary body's importance is less than supporting data so that it is modified to allow better viewing of the supporting data, the system would necessarily have a flag to indicate which body has a higher importance, col. 7, lines 19-29).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson so that the flag includes the importance of the display portion as taught by Chang because it would notify to the computer which body on the screen should be displayed when there is not enough space on the screen to display both completely.

16. As per claims 24, 29, 34, and 39, Grayson does not teach the presenting means controls the position in which said animation image is displayed so that the position does not overlap a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion.

Chang teaches the presenting means controls the position in which said animation image is displayed so that the position does not overlap a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion (primary body is moved and the supporting body takes its place, the system would necessarily have a flag to indicate which body has a higher importance, col. 7, lines 41-42)

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson so that presenting means controls the position in which said animation image is displayed so that the position does not overlap

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a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion as taught by Chang because it would allow both bodies to be displayed on the screen at once giving a better layout for the user.

17. As per claims 25, 30, 35, and 40, Grayson does not teach the presenting means controls the position in which said animation image is displayed so that the position overlaps a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion.

Chang teaches the presenting means controls the position in which said animation image is displayed so that the position overlaps a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion (makes the supporting data more prominent in shade so that the bodies can overlap, the system would necessarily have a flag to indicate which body has a higher importance, col. 7, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson so that the presenting means controls the position in which said animation image is displayed so that the position overlaps a part or all of the display position of said display portion, based on the flag added to the information corresponding to said display portion as taught by Chang because this allows gives the user a full display of the body that is of more importance hence giving a better layout for the user.

18. Claims 43-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grayson in view of Hikawa and Zhou et al. (EP 1083536), cited by applicant.

As per claims 43, 48, and 53, Grayson teaches an information presentation apparatus, method and computer readable memory for presenting information in synchronization with animation images, comprising:

retaining means for retaining information for each of two or more types of contexts, and retaining animation images with animation images corresponding to each of said two or more types of contexts (multiple contexts that define characters, col. 4, lines 9-13);

first presenting means for presenting synthetic voice based on information of a specified context and animation images corresponding to the context (stream also text that will be converted to speech, col. 4, lines 14-20 and 42-43); and

using an image to present information showing the switching of context (by the system displaying a new character it is informing the user that a switching of the context has occurred, col. 4, lines 9-13).

Grayson does not teach nor specifically point out performing these operations for genres.

Hikawa teaches the user selecting a genre of background music to be reproduced and selecting an image based upon this genre, col. 9, lines 4-8 and 41-44).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to teach using genre information as taught by

Hikawa because it would allow the user to select different categories within the current application hence facilitating navigation for the user.

Grayson and Hikawa do not teach a voice inputting means for inputting user's instructions by voice.

Zhou teaches a voice inputting means for inputting user's instructions by voice (col. 13, line 58 and col. 14, line 1).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Hikawa to have a voice inputting means for inputting user's instructions by voice as taught by Zhou because it would make the system more flexible by allowing the user to enter information in many ways.

Grayson, Hikawa, and Zhou do not teach a second presenting means for using animation images corresponding to each of the genres before and after switching of said image to present information showing the switching of the genre, based on said user's instructions by voice inputted by said voice inputting means.

However, the Examiner takes Official Notices that displaying more than one animation image at the same time is common in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to have second presenting means for using animation images corresponding to each of the genres before and after switching of said image to present information showing the switching of the genre, based on said user's instructions by voice inputted by said voice inputting means because it would better demonstrate the transfer from one genre to the other hence making interaction easier for the user.

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19. As per claims 44 and 49, Grayson does not teach the second presenting means presents information showing the switching of said genre by voice.

Zhou teaches using audible prompts (col. 11, lines 52-55).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson to use outputted voice taught by Zhou to present information showing the switching because it would allow the system to notify the user without having to waste space on the screen to display this information.

20. As per claims 45 and 50, Grayson teaches the retaining means further retains data for generating information showing the switching of said genre, for each of said two or more types of genres (switches between characters hence would retain the data of the next character which would show a switch, col. 4, lines 9-13).

21. As per claims 46 and 51, Grayson and Hikawa do not teach recognizing means for recognizing said user's instructions by voice, and that said second presenting means uses animation images corresponding to each of the genres before and after switching of said genre to present information showing the switching of the genre, based on the result of recognition by said recognizing means.

Zhou teaches a recognizing means for recognizing said user's instructions by voice (selecting a word through a voice command would necessarily include recognition of the voice command, col. 13, line 58 and col. 14, line 1).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Grayson and Hikawa to have a recognizing means for recognizing said user's instructions by voice and use this recognized command as

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taught by Zhou to switch the genres because it would give a handicapped user the ability to interact and change genres through a voice input while giving indications that the changing of genres has occurred hence facilitating use.

22. As per claims 47 and 52, Grayson teaches said information includes information distributed via a network (host and computers over network, Fig. 1).

Conclusion

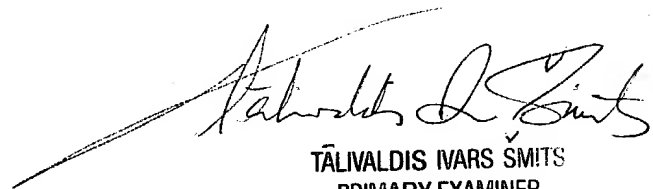
23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bickmore et al. (U.S. Pat. Pub. 2001/0019330), Sutton et al. (U.S. Pat. 6,539,354), and Nagisa et al. (U.S. Pat. 6,434,525) teach text to animation systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J Sked whose telephone number is (703) 305-8663. The examiner can normally be reached on Mon-Fri (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on (703) 306-3011. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MS
11/24/04



TĀLVALDIS IVARS ŠMITS
PRIMARY EXAMINER